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March 6, 2020

MEMO ENDORSED

VIA ECF

Hon. Valerie E. Caproni
United States District Judge
United States District Court for the Southern District of New York
40 Foley Square
New York, NY 10007

**Re: *Murphy v. BP America, Inc.*,
Civil Action No.: 1:19-cv-10323 (S.D.N.Y.)**

Dear Judge Caproni,

This firm represents Defendant BP America, Inc. ("Defendant") in the above-referenced action. We write, with Plaintiff's consent, to respectfully request the entry of an amended schedule extending the briefing and related deadlines for its forthcoming motion to dismiss by 7 days.

By way of background, the parties corresponded with the Court by letter dated February 26, 2020 to request that the Court stay all discovery pending Defendant's forthcoming motion, and for the Court to "So Order" a proposed briefing schedule. (ECF No. 12.) The Court granted the application and approved the briefing schedule on February 26, 2020. (ECF No. 13.)

Defendant respectfully requests the entry of the following amended briefing schedule, which extends each respective deadline by 7 days (with the original deadline stated in parentheses):

- Defendant's deadline to file Motion to Dismiss: March 13, 2020 (from March 6, 2020)
- Plaintiff's deadline to file his Opposition to the Motion to Dismiss or First Amended Complaint ("FAC"): March 27, 2020 (from March 20, 2020)
- Defendant's deadline to file its Reply, or to file a Motion to Dismiss the FAC (if a FAC is filed): April 24, 2020 (from April 17, 2020)



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- Plaintiff's deadline to file his Opposition to a Motion to Dismiss the FAC (if a FAC is filed): May 15, 2020 (from May 8, 2020)
- Defendant's deadline to file its Reply in support of a Motion to Dismiss FAC (if FAC is filed): June 5, 2019 (from May 29, 2020)

This is the first application for an extension of these deadlines that, if granted, will not impact any other dates. The reason for the application is to provide sufficient time for Defendant to file its motion papers. The undersigned was recently out of the office for a week based on illness, and apologizes to the Court for the late submission of this application under the Court's Individual Practices in Civil Cases (requiring 48 hours of advance notice). The undersigned has communicated with Plaintiff's counsel in connection with this application, and Plaintiff consents to the requested extension of time.

We thank the Court in advance for its time and attention to this matter, and for its consideration of this application.

Respectfully submitted,

SEYFARTH SHAW LLP

/s/ John W. Egan

John W. Egan

cc: All counsel of record (via ECF)

Application GRANTED.

SO ORDERED.

Date: 03/06/2020

A handwritten signature in blue ink, appearing to read 'Valerie Caproni'.

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE